

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

**Court Minutes**

**October 25, 2010**

At 9:30 a.m., the court met at 621 Capitol Mall, 10th Floor to begin its court calendar session. Present were Sims, Associate Justice; Raye, Associate Justice; Robie, Associate Justice; and Horner, bailiff.

**C061004 TRUCKEE-CARSON IRRIGATION DISTRICT v. SIERRA PACIFIC POWER COMPANY et al.**

Cause called. Jeffrey V. Dunn argued for appellants. Bill Peterson argued for appellant. Sophia B. Belloli argued and Michael J. Van Zandt appeared only for respondent. Cause submitted.

At 10:23 a.m., the court recessed. At 10:25 a.m., the court reconvened with Nicholson, Associate Justice; Robie, Associate Justice; and Cantil-Sakauye, Associate Justice.

**C061842 DOE v. ROMAN CATHOLIC BISHOP OF SACRAMENTO**

Cause called. Jay-Allen Eisen argued and Joseph C. George appeared only for appellant. Stephen J. Greene argued for respondent. Cause submitted.

At 10:51 a.m., the court recessed. At 10:54 a.m., the court reconvened with Raye, Associate Justice; Robie, Associate Justice; and Cantil-Sakauye, Associate Justice.

**C062317 BIRDIE NAVIGATION, S.A. v. COUNTY OF SAN JOAQUIN; SAN JOAQUIN COUNTY ASSESSOR**

Cause called. Tony J. Tanke argued for appellant. Robert E. O'Rourke, Deputy County Counsel, argued for respondent. Cause submitted.

At 11:27 a.m., the court recessed. At 1:59 p.m., the court reconvened with Nicholson, Associate Justice; Robie, Associate Justice; and Cantil-Sakauye, Associate Justice.

**C060589 THE PEOPLE v. DOVICH**

Cause called. William George Prah argued for appellant. Catherine Tennant Nieto, Deputy Attorney General, argued for respondent. Cause submitted.

At 2:24 p.m., the court recessed until 9:30 a.m., Monday, November 15, 2010.

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**October 25, 2010, Continued**

**C063132      THE PEOPLE v.      (Not For Publication)**  
**AMERA KHALID ADDI**

The judgment is affirmed as modified. The trial court is directed to prepare and forward to the Department of Corrections and Rehabilitation a new abstract of judgment.

HULL, Acting P.J.

We Concur: Butz, J.

Cantil-Sakauye, J.

**C063747      THE PEOPLE v.      (Not For Publication)**  
**LANCE EARL ROSE**

The judgment is affirmed.

ROBIE, J.

We Concur: Nicholson, Acting P.J.

Butz, J.

**C062321      KEYES et al. v. DEBRA BOWEN,      (Certified For Publication)**  
**As Secretary, etc., et al.**

The judgment is affirmed. Plaintiffs shall reimburse defendants for their costs on appeal. (Cal. Rules of Court , rule 8.278 (a)(1).)

SCOTLAND, Acting P.J.\*

We Concur: Sims, J.

Robie, J.

**October 26, 2010**

**C061681      THE PEOPLE v.      (Not For Publication)**  
**JONATHAN ANDREW HAMPTON**

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Raye, Acting P.J.

Robie, J.

**C062131      THE PEOPLE v.      (Not For Publication)**  
**JAMES OSCAR PAXIA**

The award of presentence credits is modified to award defendant a total of 13 days. As modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract and to send a copy to the Department of Corrections and Rehabilitation.

SIMS, Acting P.J.

We Concur: Raye, J.

Butz, J.

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**October 26, 2010, Continued**

- C062262      THE PEOPLE v. VONG P. LEE      (Not For Publication)**  
The judgment is reversed, the nolo contendere plea is vacated, and the cause is remanded for further proceedings consistent with the views herein expressed.  
SIMS, J.  
We Concur:    Blease, Acting P.J.  
                  Nicholson, J.
- C063682      THE PEOPLE v.      (Not For Publication)**  
**JEFFREY ALLEN PATE**  
The judgment is affirmed.  
SIMS, Acting P.J.  
We Concur:    Nicholson, J.  
                  Raye, J.
- C064655      THE PEOPLE v.      (Not For Publication)**  
**FRANK THOMAS MANFREDONIA**  
The judgment is modified...  
ROBIE, J.  
We Concur:    Nicholson, Acting P.J.  
                  Hull, J.
- C062966      In re G.T.; SACRAMENTO COUNTY      (Not For Publication)**  
**DEPARTMENT OF HEALTH AND**  
**HUMAN SERVICES v. G.S. et al.**  
The matter is remanded to the juvenile court with directions to modify the visitation order to conform to this opinion and to order the Department to comply with the inquiry and notice provisions of the ICWA and the relevant California Rules of Court. ...  
BUTZ, J.  
We Concur:    Blease, Acting P.J.  
                  Nicholson, J.
- C064384      In re C.M.; THE PEOPLE v. C.M.      (Not For Publication)**  
The judgment is affirmed.  
ROBIE, J.  
We Concur:    Nicholson, Acting P.J.  
                  Hull, J.

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**October 26, 2010, Continued**

**C064178      STATE OFFICE OF THE INSPECTOR      (Certified For Publication)  
GENERAL et al. v. THE SUPERIOR  
COURT OF SACRAMENTO COUNTY;  
THE SACRAMENTO BEE et al.**

THE COURT:

The opinion in the above-entitled matter filed on October 6, 2010, was not certified for publication in the Official Reports. For good cause it now appears that the opinion should be published in the Official Reports and it is so ordered.

BY THE COURT:

BLEASE, Acting P.J.

Hull, J.

Cantil-Sakauye, J.

**October 27, 2010**

**C060780      THE PEOPLE v.      (Not For Publication)  
ROBERT LEE PATTON**

The judgment is reversed.

ROBIE, J.

We Concur: Nicholson, Acting P.J.

Butz, J.

**C063735      THE PEOPLE v.      (Not For Publication)  
FRANCIS CHARLES KELLY**

The judgment is affirmed. The trial court is directed to prepare an amended probation order identifying the statutory basis for every fine, fee, and penalty, and to forward copies of the amended order to the relevant authorities.

HULL, Acting P.J.

We Concur: Butz, J.

Cantil-Sakauye, J.

**C061782      LICKTER et al. v. LICKTER et al.      (Certified For Publication)**

The judgment is affirmed. Defendants shall recover their costs on appeal. (Cal. Rules of Court, rule 8.276 (a)(1).)

ROBIE, J.

We Concur: Raye, Acting P.J.

Hull, J.

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**October 28, 2010**

- C062750      THE PEOPLE v. MICHAEL HINOJOS      (Not For Publication)**  
The judgment is affirmed.  
ROBIE, J.  
We Concur: Nicholson, Acting P.J.  
Butz, J.
- C063451      THE PEOPLE v.      (Not For Publication)**  
**TRENT WAYNE SWISHER**  
The judgment is affirmed.  
BLEASE, J.  
We Concur: Scotland, Acting P.J.\*  
Hull, J.
- C064052      THE PEOPLE v.      (Not For Publication)**  
**KEITH ANTHONY LYNCH**  
The judgment is modified by striking the two \$30 criminal conviction assessments imposed by the trial court, reducing the court security fee to \$20 for each conviction for a total of \$40, and awarding defendant 267 days' conduct credit. As so modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract to the Department of Corrections and Rehabilitation.  
ROBIE, J.  
We Concur: Scotland, Acting P.J.\*  
Hull, J.
- C064775      THE PEOPLE v.      (Not For Publication)**  
**CHRISTOPHER WILLIAM DAVIS**  
The judgment is affirmed.  
HULL, J.  
We Concur: Raye , Acting P.J.  
Robie, J.
- C064354      In re Ju.K. et al.; SACRAMENTO      (Not For Publication)**  
**COUNTY DEPARTMENT OF HEALTH  
AND HUMAN SERVICES v. R.F.**  
The section 366.3 review order is affirmed.  
NICHOLSON, J.  
We Concur: Scotland, Acting P.J.\*  
Blease, J.

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**October 28, 2010, Continued**

**C064089      In re J.F.; BUTTE COUNTY DEPARTMENT      (Not For Publication)  
                 OF EMPLOYMENT AND SOCIAL SERVICES  
                 v. S.F., an Incompetent Person, etc.**

The orders of the juvenile court are affirmed.

ROBIE, J.

We Concur:    Raye, Acting P.J.

Butz, J.

**C063416      In re O.R.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND  
                 HUMAN SERVICES v. D.S.**

BY THE COURT:

Respondent's motion to dismiss the appeal is granted. The appeal filed  
on November 4, 2009, is dismissed.

RAYE, Acting P.J.

**C063461      RANSTROM v. ELDRIDGE CONSTRUCTION, INC.; KINGS ARCO ARENA,  
                 LTD.**

BY THE COURT:

Appellant's petition for rehearing is denied.

BLEASE, Acting P.J.

**October 29, 2010**

**C060589      THE PEOPLE v. KEITH DOVICH      (Not For Publication)**

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur:    Nicholson, Acting P.J.

Robie, J.

**C062286      THE PEOPLE v.      (Not For Publication)  
                 DEXTER JAMES GRANT, JR.**

The judgment is affirmed.

SIMS, J.

I concur in the judgment and in the opinion except as to part IB of the Discussion,  
as to which I concur in the result.

Blease, Acting P.J.

I concur in the judgment but must express a reservation regarding the opinion's  
application of the Supreme Court's decision in *People v. Coleman* (1975) 13  
Cal.3d 867 (*Coleman*). ...

With this mild reservation, I concur in the judgment.

Raye, J.

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**October 29, 2010, Continued**

- C063002      THE PEOPLE v.      (Not For Publication)**  
**GEOFFREY MARK GLENN**  
Defendant's eight-month consecutive sentence on count 3 is stayed pending service of sentence on counts 1 and 2, such stay to become permanent upon completion of his sentence on those counts. ... As so modified, the judgment is affirmed. ...  
MAURO, J.  
We Concur: Blease, Acting P.J.  
Raye, J.
- C063411      THE PEOPLE v.      (Not For Publication)**  
**STEVEN LEE SLAUGHTER**  
The judgment is modified to award defendant 110 days of conduct credits for a total of 221 days of presentence custody credits. As modified, the judgment is affirmed. ...  
BUTZ, J.  
We Concur: Nicholson, Acting P.J.  
Mauro, J.
- C063499      THE PEOPLE v.      (Not For Publication)**  
**ARTHUR LEONARD JENKINS**  
The judgment is affirmed.  
HULL, J.  
We Concur: Nicholson, Acting P.J.  
Robie, J.
- C063942      THE PEOPLE v.      (Not For Publication)**  
**CARLA M. CANALES**  
The judgment is affirmed.  
ROBIE, J.  
We Concur: Nicholson, Acting P.J.  
Hull, J.
- C064408      THE PEOPLE v.      (Not For Publication)**  
**PETER ALBERT BRIGGS**  
The appeal is dismissed.  
NICHOLSON, Acting P.J.  
We Concur: Raye, J.  
Butz, J.

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- C064522      THE PEOPLE v.      (Not For Publication)**  
**PETER ALBERT BRIGGS**  
The appeal is dismissed.  
NICHOLSON, Acting P.J.  
We Concur: Butz, J.  
Mauro, J.
- C064836      THE PEOPLE v.      (Not For Publication)**  
**JEFFERY MARTIN CROSS**  
The trial court is directed to amend the abstract of judgment to properly describe defendant's conviction on count one as "Burglary, 1st Degree" and to forward a certified copy of the amended abstract to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.  
RAYE, J.  
We Concur: Blease, Acting P.J.  
Mauro, J.
- C059079      EQUILON ENTERPRISES v. STATE      (Certified For Publication)**  
**BOARD OF EQUALIZATION et al.;**  
**NATIONAL PAINT & COATINGS**  
**ASSOCIATION, INC.**  
The judgment is affirmed. Respondents are entitled to their costs on appeal. (Cal. Rules of Court, rule 8.276 (a).)  
ROBIE, J.  
We Concur: Sims, Acting P.J.  
Raye, J.
- C061239      TRACY JOINT UNIFIED SCHOOL      (Certified For Publication)**  
**DISTRICT v. POMBO, JR., et al.**  
The order is reversed is reversed. ...  
BUTZ, J.  
We Concur: Raye, Acting P.J.  
Robie, J.
- C062317      BIRDIE NAVIGATION, S.A. v.      (Not For Publication)**  
**COUNTY OF SAN JOAQUIN**  
The judgment is affirmed. The County of San Joaquin is awarded costs on appeal. (Cal. Rules of Court, rule 8.278 (a)(2).)  
CANTIL-SAKAUYE, J.  
We Concur: Raye, Acting P.J.  
Robie, J.



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**October 29, 2010, Continued**

**C062937      In re S.E.; SACRAMENTO COUNTY      (Not For Publication)**  
**DEPARTMENT OF HEALTH AND**  
**HUMAN SERVICES v. T.B.**

The judgment (jurisdictional and dispositional orders) is affirmed.

HULL, J.

We Concur:    Blease, Acting P.J.

Raye, J.

**C064031      In re A.B. et al.; SACRAMENTO      (Not For Publication)**  
**COUNTY DEPARTMENT OF HEALTH**  
**AND HUMAN SERVICES v. W.M.**

The juvenile court's order is affirmed.

BLEASE, Acting P.J.

We Concur:    Raye, J.

Mauro, J.

**C064072      In re R.P. et al.; SACRAMENTO      (Not For Publication)**  
**COUNTY DEPARTMENT OF HEALTH**  
**AND HUMAN SERVICES v. R.P.**

The judgment is affirmed.

HULL, J.

We Concur:    Nicholson, Acting P.J.

Robie, J.